GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

W.R. (LA) Department – Somasila Project – Lands and trees & Structures acquired vide Award No.3/1998-99, dated:30.10.1998 in Konapuram Village of Nandalur Mandal erstwhile YSR Kadapa District –Compensation paid – Applications filed U/s 18 of L.A. Act – LAOP No.280/2000 of the Senior Civil Judge Court, Rajampet - LAAS No.473/08 and 427/08 -Common orders of the Hon'ble High Court of A.P. Hyderabad passed in LAAS Nos.472/08, 473/08, 427/08 and 428/08, dt:19.06.2018 and amended orders, dt:03.12.2018 – EP No.86/2016 filed in the Senior Civil Judge Court, Rajampet – Orders dated:05.08.2022 in WP.No.3676/2022 – Decretal charges for an amount Rs.4,07,82,838/- (including Income Tax of Rs.30,81,148/-) – Sanctioned – Orders – Issued.

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WATER RESOURCES (LA) DEPARTMENT

G.O.Rt.No.2153 Dated:30.12.2022

Read the following:

1. The Chief Commissioner of Land and Administration &Spl. C.S., Mangalagiri, Letter No.LA-II/51/2020, dated:04.11.2020.
2. Orders dated:06.09.2021 of Hon'ble Supreme Court of India in SLP(C) Dairy No.17834/2021.
3. Orders dated:05.08.2022 in WP.No.3676/2022 of the Hon'ble High Court of AP.

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ORDER:

In the circumstances reported by the Chief Commissioner of Land Administration and Special Chief Secretary to Government, Andhra Pradesh, Mangalagiri in the reference 1st read above and also the orders passed by the Hon'ble High Court of Andhra Pradesh in the reference 3rd read above, Government after careful examination of the matter, hereby accord sanction for an amount of Rs.4,07,82,838/- (Rupees Four Crores Seven Lakhs Eighty Two Thousand Eight Hundred and Thirty Eight only) (including Income Tax of Rs.30,81,148/-) towards decretal charges payable to the claimants in LAOP No.280/2000 relating to lands, tress (Sweet Orange, Lemon, Coconut Margosa) & structures in Reach No.IV of Konapuram (V), Nandalur (M), erstwhile YSR Kadapa District as per common dated: 19.06.2018 and amended orders dated 03.12.2018 in LAAS No.472/08, 473/08, 427/08 and 428/08, subject to condition that,-

i. verification whether the reference under section 18(1) of the L.A. Act is made to the Lower Court after following all the guidelines / directions on the subject;
ii. in case, it is detected that, section 18 reference was made contrary to the rules/guidelines issued by the Government / Chief Commissioner of Land Administration, Andhra Pradesh, immediate action should be taken to recover the loss sustained by the Government from the staff concerned and filing of restitution petition;
iii. confirmation of concerned Chief Engineer, WRD as to the extent of land acquired;
iv. to review the interest calculations as per the specific Government orders issued (duly furnishing) and also outcome of the court cases, if any;
v. to ensure the correctness of the estimates and duly obtaining undertaking from the concerned to recover the excess amount paid, if any; and

P.T.O

vi. the Special Collector (LA), GNSS, Kadapa shall verify at his level thoroughly the calculations made by the Land Acquisition Officer with reference to the decree and instructions issued by the Government / Chief Commissioner of Land Administration, AP on the subject matter from time to time, to avoid excess and double payment before depositing the above sanctioned decretal amount in the respective Lower Court, and

2. The expenditure sanctioned in para (1) above, shall be debited to the Head of Account "4700 - COL on Major Irrigation; 01 – Major Irrigation; MH.112 Somasila Project - G.H. (11) – Normal State Plan; S.H. (26) Dam and Appurtenants works; 530 Major Works; 532 – Lands (Charged)".

3. The Chief Commissioner of Land Administration and Special Chief Secretary to Government, Andhra Pradesh, Mangalagiri / the Special Collector (LA), GNSS, YSR Kadapa shall take further necessary action in the matter, accordingly.

4. This order issues with the concurrence of Finance Department vide their U.O.No.FIN01-FMU0MRAS(WR2)/165/2021-FMU-WR-II (Computer No. 1515365) , Dated:27.09.2021.

[BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH]

SHASHI BHUSHAN KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Chief Commissioner of Land Administration and Special Chief Secretary to Government, Andhra Pradesh, Mangalagiri.
The Special Collector (LA), GNSS, YSR Kadapa.

Copy to:

The Chief Engineer (P), NTR TGP, Tirupati.
The Accountant General, Andhra Pradesh, Vijayawada.
The Director of Works Accounts, 'C' Block, Anjaneya Towers, Ibrahimpatnam, Vijayawada.
The Finance (FMU-WR-II) Department.
The P.S to Minister (WRD).
The P.S to Prl. Secy., to Government (WRD).
File No.ICD01/151/2021-LA (Com. No.1333747).
Sf/Sc.

// FORWARDED :: BY ORDER //

SECTION OFFICER